

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

|                       |   |                       |
|-----------------------|---|-----------------------|
| ADAM FLETCHER YOUNG,  | ) |                       |
|                       | ) |                       |
| Petitioner,           | ) |                       |
|                       | ) |                       |
| v.                    | ) | Case No. CIV-10-608-D |
|                       | ) |                       |
| MIKE ADDISON, Warden, | ) |                       |
|                       | ) |                       |
| Respondent.           | ) |                       |

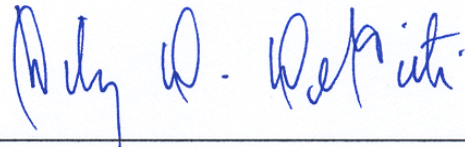
**ORDER**

Before the Court is Petitioner’s Objection/Motion for Reconsideration of the Order of the District Court, filed *pro se* on May 3, 2011 [Doc. No. 45]. Petitioner asks the Court to modify its Order of April 22, 2011, allegedly because it does not comply with Fed. R. Civ. P. 9(b), 10(b) and 10(c). Specifically, Petitioner challenges statements in the April 22 Order to the effect that certain filings he previously made in the case are no longer at issue and that he cannot circumvent page limitations on briefs by incorporating portions of prior filings. Petitioner argues that Rule 10 authorizes adoption by reference in pleadings and that Rule 9 “provides for an exception to otherwise-applicable page limitations” in pleadings alleging fraud. *See* Motion [Doc. No. 45] at 2.

Petitioner’s arguments are meritless. The cited rules apply to pleadings; briefs are not pleadings. *See* Fed. R. Civ. P. 7(a) (listing allowed pleadings). Rule 10 expressly refers to pleadings designated in Rule 7(a). *See* Fed. R. Civ. P. 10(a). Rule 9 does not address page limits. A court-imposed page limitation on briefs is a “supervision of litigation” matter within a district court’s discretion. *Timmerman v. U.S. Bank, N.A.*, 483 F.3d 1106, 1112 (10th Cir. 2007).

IT IS THEREFORE ORDERED that Petitioner's Motion for Reconsideration [Doc. No. 45]  
is DENIED.

IT IS SO ORDERED this 4<sup>th</sup> day of May, 2011.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE